

IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Canceled)

Claim 2 (Currently Amended): An information readout apparatus according to claim  
[[1]] 3, wherein

said readout control means controls [[the]] readout power of the ~~optical~~ light beam  
irradiating said recording medium.

Claim 3 (Currently Amended): ~~An information readout apparatus according to claim~~  
~~1, wherein~~ An information readout apparatus for irradiating a recording medium having a  
recording layer and a readout layer with a light beam and reading recorded information of the  
recording layer by opening a detecting window smaller in size than an area irradiated with the  
light beam, said apparatus comprising:

a resolution detecting means for detecting a resolution based upon sampled values of  
a readout waveform of an isolated mark recorded/formed on said recording medium, said  
resolution detecting means detects the resolution ~~on the basis of the~~ based upon a quotient  
obtained by dividing [[the]] a difference X between [[the]] a sample value Y near [[the]] a  
peak of said isolated mark and [[the]] a sample value adjacent to said sample value Y by said  
sample value Y near the peak, or  $X/Y$ ;

a reference value output means for outputting a reference value for said resolution;  
and,

a readout control means for controlling the size of said detection window so as to  
make said detected resolution close to said reference value.

Claim 4 (Currently Amended): An information readout apparatus according to claim 3, wherein

said reference value output means outputs the value of X/Y that minimizes [[the]] jitter or [[the]] error rate at [[the]] a time of detecting [[the]] data of said readout signal as a reference value.

Claim 5 (Currently Amended): An information readout apparatus according to claim [[1]] 3, wherein the ~~above~~ reference value is provided in said reference value output means either at the time of loading said recording medium or periodically.

Claim 6 (Canceled).

Claim 7 (Currently Amended): An information readout apparatus according to claim [[6]] 8, wherein said readout control means controls [[the]] readout power of the ~~optical~~ light beam irradiating said recording medium.

Claim 8 (Currently Amended): ~~An information readout apparatus according to claim 6, wherein~~ An information readout apparatus for irradiating a recording medium having a recording layer and a readout layer with a light beam and reading recorded information of the recording layer by opening a detecting window smaller in size than an area irradiated with the light beam, said apparatus comprising:

a first resolution detecting means for detecting resolution based upon average level and saturation level of signals readout from said recording medium, said first resolution

detecting means detects the resolution on the basis of ~~[[the]]~~ a ratio of ~~[[the]]~~ a saturation level Y of said readout signal and ~~[[the]]~~ an average level X of the readout signal, or X/Y;

a second resolution detecting means for detecting the resolution based upon a signal level of the readout waveform of an isolated mark recorded/formed on said recording medium;

a reference value output means for outputting a reference value for said resolution;

and,

a readout control means for controlling the size of said detection window to make said detected resolution close to said reference value.

Claim 9 (Currently Amended): An information readout apparatus according to claim 8, wherein

said reference value output means outputs the value of X/Y that minimizes ~~[[the]]~~ jitter or ~~[[the]]~~ error rate at ~~[[the]]~~ a time of detecting ~~[[the]]~~ data of said readout signal as a reference value.

Claim 10 (Currently Amended): An information readout apparatus according to claim ~~[[6]]~~ 8, wherein

The ~~above~~ reference value is provided in said reference value output means either at the time of loading said recording medium or periodically.

Claim 11 (Canceled).

Claim 12 (Currently Amended): ~~An information readout apparatus according to claim 11, wherein~~ An information readout method for irradiating a recording medium having a recording layer and a readout layer with a light beam and reading recorded information of the recording layer by opening a detecting window smaller in size than the area irradiated with the light beam, said method comprising steps of:

detecting a resolution based upon the sampled values of a readout waveform of an isolated mark recorded/formed on said recording medium, the resolution is detected in said resolution detecting step ~~on the basis of~~ based upon a quotient obtained by dividing ~~[[the]] a~~ difference X between ~~[[the]] a~~ sample value Y near ~~[[the]] a~~ peak of said isolated mark and ~~[[the]] a~~ sample value adjacent to said sample value Y by said sample value Y near the peak, or  $X/Y$ ;

outputting a reference value for said resolution; and,

controlling the size of said detecting window to make said detected resolution close to said reference value.

Claim 13 (Currently Amended): An information readout method for irradiating a recording medium having a recording layer and a readout layer with a light beam and reading ~~[[the]] recorded information [[on]] of~~ the recording layer by opening a detecting window smaller in size than ~~[[the]] an~~ area irradiated with the ~~optical~~ light beam, said method comprising steps of:

detecting ~~[[the]] a~~ first resolution ~~on the basis of the~~ based upon an average level and ~~[[the]] saturation level of [[the]] signals read out from said recording medium, said first resolution detecting means detects the resolution on the basis of a ratio of a saturation level Y of said readout signal and an average level X of the readout signal, or  $X/Y$ ;~~

detecting ~~[[the]]~~ a second resolution ~~on the basis of the~~ based upon a signal level of ~~[[the]]~~ a read out waveform of ~~[[the]]~~ an isolated mark recorded/formed on said recording medium; ~~[[and]]~~

outputting a reference value for said resolution; and

controlling the size of said detection window ~~so as~~ to make said detected resolution close to said reference value.

Claim 14 (New): An information readout apparatus for irradiating a recording medium having a recording layer and a readout layer with a light beam and reading recorded information of the recording layer by opening a detecting window smaller in size than an area irradiated with the light beam, said apparatus comprising:

a resolution detector configured to detect a resolution based upon sampled values of a readout waveform of an isolated mark recorded/formed on said recording medium, said resolution detector detecting the resolution based upon a quotient obtained by dividing a difference X between a sample value Y near a peak of said isolated mark and a sample value adjacent to said sample value Y by said sample value Y near the peak, or  $X/Y$ ;

a reference value output circuit configured to output a reference value for said resolution; and,

a readout controller configured to control the size of said detection window so as to make said detected resolution close to said reference value.

Claim 15 (New): An information readout apparatus for irradiating a recording medium having a recording layer and a readout layer with a light beam and reading recorded

information of the recording layer by opening a detecting window smaller in size than an area irradiated with the light beam, said apparatus comprising:

a first resolution detector configured to detect resolution based upon average level and saturation level of signals readout from said recording medium, said first resolution detector detecting the resolution on the basis of a ratio of a saturation level Y of said readout signal and an average level X of the readout signal, or  $X/Y$ ;

a second resolution detector configured to detect the resolution based upon a signal level of the readout waveform of an isolated mark recorded/formed on said recording medium;

a reference value circuit configured to output a reference value for said resolution;  
and,

a readout controller configured to manage the size of said detection window to make said detected resolution close to said reference value.